

REMARKS

Applicant submits this Request for Reconsideration together with a Request for Continued Examination (RCE) in reply to the Final Office Action mailed on September 7, 2006. Claims 1, 2, and 5-25 are currently pending. Claims 1, 6, 7, 8, 16, and 17 are independent.

I. The Examiner Has Failed to Address Claims 18, 19, and 21-25.

Claims 18, 19, and 21-25 depend from claim 1. Claim 1 broadly recites general additional information comprising at least one of a plurality of listed items, while claims 18, 19, and 21-25 narrow that list.

The Examiner alleges that because the items recited in claim 1 were recited in the alternative, "there is no burden on the Examiner to meet furthering limiting dependent claims." This statement is incorrect. The dependent claims properly further limit the independent claim, and the Examiner must either address those limitations or allow the claims. See 35 U.S.C. § 112, fourth paragraph. For at least these reasons, the rejection of claims 18, 19, and 21-25 is deficient.

II. The Examiner Has Failed to Establish a Prima Facie Showing of Obviousness

The combination of Itakura, Sezan, and Bedard fails to disclose each and every limitation of the independent claims, and thus the rejection of claims 1, 2, 5-8, 10, 12, 14, and 16-25 in view of Itakura, Sezan, and Bedard is improper. Furthermore, there is no motivation in the prior art to combine the features taught by either Sezan or Bedard with the system taught by Itakura.

Itakura describes a system for distributing advertisements over the Internet. The system provides a display that includes a message viewer 76 having a message viewer window 62 (presumably for advertisements), and a browser 74 having an Internet browser window 60. See col. 9, lines 14-23 and Figure 4. The system of Itakura allows a URL stored in a URL database (transmittal condition database 36) to be selected using information stored in a user database (message user database 34) and delivered to the message viewer 76. See col. 10, lines 48-58. An advertisement stored at the URL may then be sent to the message viewer window 62 (see col. 12, lines 1-14), and may contain data which represents a home page address of a store on the WWW (see col. 8, lines 1-7). A "home page" button 64 in the message viewer 76 may then be selected to open the home page in the browser 74. See col. 9, lines 14-23. The advertisements disclosed by Itakura may be still images, dynamic images, sound images, or combinations thereof. See col. 8, lines 4-8.

Sezan discloses a system for storing and providing access to image, video, and/or audio information. See p. 3, paragraph 42. The system stores information about video, still image, and/or audio information to allow users to search, filter, and access the video, audio, and/or still image information in varying detail amounts. *Id.* The stored information may include segment information related to video sequences, or texture or color descriptors related to still images. See p. 16, paragraph 188.

Bedard discloses a method and apparatus for bookmarking television program and channel selections. The apparatus includes a settop unit that allows a user to access an electronic program guide. The settop unit may generate a display on a

television screen based on a combination of information supplied by a user and broadcast information received from an external signal.

In contrast to Itakura, Sezan, and Bedard, claim 1 recites, *inter alia*:

An information processing apparatus for delivering contents data via a network to other apparatus, comprising:

first registration means for registering general additional information regarding said contents data . . .

second registration means for registering individual additional information of said contents data on the basis of at least said contents data,

wherein said individual additional information comprises overall individual additional information which is associated with the contents data as a whole, segment individual additional information which is associated with one of a plurality of segments of the contents data, and scene individual additional information associated with one of a plurality of scenes in contents data . . . and

transmission means for transmitting said contents data and said individual data generated by said generation means via said network to said other apparatus, to enable said contents data, said general additional information, and said individual additional information to be simultaneously displayed on a display screen at said other apparatus;

whereby contents data is delivered together with extracted general additional information and extracted individual additional information in response to a request for usage generated by said other apparatus

The Examiner concedes that Itakura does not disclose or suggest individual additional information comprising overall individual additional information associated with the contents data as a whole, segment individual additional information associated with one of a plurality of segments of the contents data, and scene individual additional information associated with one of a plurality of scenes in contents data. Final Office Action at p. 7, lines 12-15. The Examiner instead relies on Sezan and asserts:

It clearly would have been obvious for one skilled in the art at the time to modify Itakura with teaches [sic] 'segment individual additional information which is associated with one of a plurality of segments of the contents data and scene individual additional information associated with

one of a plurality of scenes in contents data' [to efficiently determine content of potential interest to the user].

Final Office Action, p. 7, line 19 – p. 8, line 1.

Applicant respectfully disagrees with this assertion. Itakura does not disclose any scene information or segment information. Instead, Itakura only discusses advertisements comprising “still images, dynamic images, sound images or combinations thereof.” See Itakura, col. 8, lines 4-8. There would be no reason to register segment individual additional information which is associated with one of a plurality of segments of contents data and scene individual additional information associated with one of a plurality of scenes in contents data in the system taught by Itakura, because Itakura does not contemplate a plurality of scenes or segment content. The Examiner gives no explanation why one would have been motivated to include a plurality of segments or a plurality of scenes into the advertisements disclosed by Itakura, or how one would do so. Therefore, the Examiner’s statement describing a general motivation for including the features allegedly taught by Sezan in the system of Itakura is not sufficient to satisfy 35 U.S.C. § 103(a) and appears to be made with improper hindsight.

Second, the Examiner now relies on Bedard as allegedly disclosing that it is well known for said contents data, said general additional information, and said individual additional information to be delivered together and simultaneously displayed on a display screen, as required by claim 1. Applicant respectfully disagrees that Bedard discloses such a feature.

According to the Examiner’s interpretation of Bedard, the “contents data” of Bedard is content displayed in the background, the “general additional information” is

the displayed “Now Playing: Larry King Live” text, and the “individual additional information” is the displayed “Viewer: Bob” text. Given this interpretation, Bedard does not disclose that these three types of information are delivered together. Notably, Bedard teaches that the displayed content and the electronic program guide information (e.g., presumably “Larry King Live”) are received from an external broadcast video signal (see col. 2, line 66 – col. 3, line 8), but does not teach that the text “Viewer: Bob” is delivered together with those data. On the contrary, the “Viewer: Bob” text is received separately and internally from the settop box. See col. 6, lines 1-19. Therefore, the cited references still do not disclose each and every feature of the claimed invention.

Accordingly, the cited art does not support the rejection of claim 1. Therefore, the rejection of claim 1 under 35 U.S.C. § 103(a) should be withdrawn and the claim allowed.

Independent claims 6, 7, 8, 16, and 17, although of different scope, include similar distinguishing features as discussed above in connection with claim 1. As explained, claim 1 is distinguishable from the cited art. Accordingly, the cited art does not support the rejection of claims 6, 7, 8, 16, and 17 for at least the same reasons set forth above in connection with claim 1. Therefore, the rejection of claims 6, 7, 8, 16, and 17 under 35 U.S.C. § 103(a) should be withdrawn and the claims allowed.

III. 35 U.S.C. § 103(a): Dependent Claims

Claims 2, 5, 10, 12, 14, and 18-25 each depend from one of independent claims 1, 6, 7, 8, or 17 and are therefore allowable for at least the same reasons that independent claims 1, 6, 7, 8, and 17 are allowable. In addition, claims 9, 11, 13, and 15 depend from respective independent claims 1, 6, 7, and 8. Although claims 9, 11,

13, and 15 were rejected further in view of Kitsukawa, Kitsukawa fails to cure the deficiencies of Itakura, Sezan, and Bedard. As such, Applicants request the rejection of claims 2, 5, 9-15, and 18-25 be withdrawn and the claims allowed.

IV. Conclusion

In view of the foregoing remarks, this claimed invention is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the Examiner's reconsideration of the application, and the timely allowance of pending claims 1, 2, and 5-25.

The Office Action contains characterizations of the claims and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

In discussing the specification, claims, and drawings in this Request for Reconsideration, it is to be understood that Applicants are in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification and/or shown in the drawings. Rather, Applicants are entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

If a telephone interview will expedite issuance of this application, the Examiner is requested to call Applicants' representative, whose name and registration number appear below, to discuss any remaining issues.

Please grant any extensions of time required to enter this Request for
Reconsideration and charge any additional required fees to our Deposit Account No.
06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 28, 2006

By: Bradley Edelman
Bradley Edelman
Reg. No. 57,648